

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INSIDER INC. and ANGELA WANG,

Plaintiffs,

v.

TREASURY INSPECTOR GENERAL FOR
TAX ADMINISTRATION,

Defendant.

20 Civ. 7896 (PGG)

**STIPULATION AND ORDER OF
SETTLEMENT AND DISMISSAL**

WHEREAS plaintiffs Insider Inc. and Angela Wang (together, “Plaintiffs”) filed this suit in the United States District Court for the Southern District of New York pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, seeking the release of a record by defendant Treasury Inspector General for Tax Administration (“TIGTA”), in connection with an earlier administrative request for the same record (the “FOIA request”);

WHEREAS TIGTA released the requested record, with certain redactions, to Plaintiffs in response to the FOIA request;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, as follows:

1. The record produced by TIGTA fully resolves any and all claims Plaintiffs now have or may hereafter acquire against TIGTA or the United States of America (“United States”), or any department, agency, officer, or employee of TIGTA and/or the United States, for the release of the record arising from Plaintiffs’ FOIA request at issue in this action.

2. After the Court has approved and docketed this Stipulation and Order, within a reasonable period of time, TIGTA shall pay to Plaintiffs via electronic funds transfer the sum of TWO THOUSAND NINE HUNDRED DOLLARS AND ZERO CENTS (\$2,900.00) in attorneys’ fees and litigation costs, pursuant to 5 U.S.C. § 552(a)(4)(E), which sum Plaintiffs

agree to accept in complete satisfaction of any and all claims by Plaintiffs for attorneys' fees, expenses, costs, interest, and any other sums related to this litigation. Counsel for Plaintiffs will provide the necessary information for TIGTA to effectuate the electronic funds transfer.

3. This action is hereby dismissed with prejudice, and without costs or fees other than as provided in paragraph 2 of this Stipulation and Order, provided that the Court shall retain jurisdiction for the purpose of enforcing this Stipulation and Order.

4. This Stipulation and Order shall not constitute an admission of liability or fault on the part of TIGTA or the United States or their agents, servants, or employees, and is entered into by all parties for the sole purpose of compromising disputed claims and avoiding the expenses and risks of further litigation.

5. The parties agree that this Stipulation and Order will not be used as evidence or otherwise in any pending or future civil or administrative action against TIGTA, the United States, or any agency or instrumentality of the United States.

6. The parties understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

7. Any obligation of the Government to expend funds under this Stipulation is subject to the availability of appropriations in accordance with the Anti-Deficiency Act, 31 U.S.C. § 1341. This Stipulation shall not be construed to require the Government to obligate or pay funds in contravention of the Anti-Deficiency Act.

8. Counsel for TIGTA will be filing this Stipulation and Order via the ECF system on behalf of all parties. Pursuant to Rule 8.5(b) of the Electronic Case Filing Rules &

Instructions of the U.S. District Court for the Southern District of New York, counsel for Plaintiffs consents to the electronic filing of this Stipulation and Order by counsel for TIGTA.

Dated: New Haven, Connecticut
October 25, 2021

Dated: New York, New York
October 25, 2021

/s/ Stephen Stich
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SO ORDERED:



THE HONORABLE PAUL G. GARDEPHE
UNITED STATES DISTRICT JUDGE

Dated: November 4, 2021

Memo Endorsed: The Clerk of Court is directed to close the case. Any pending dates and deadlines are adjourned sine die.